

JOSEPH P. RUSSONIELLO, CSBN 44332
 United States Attorney
 LUCILLE GONZALES MEIS, SBN CO 15153
 Regional Chief Counsel, Region IX,
 Social Security Administration
 THEOPHOUS H. REAGANS CSBN 189450
 Special Assistant United States Attorney

333 Market Street, Suite 1500
 San Francisco, California 94105
 Telephone: (415) 977-8943
 Facsimile: (415) 744-0134

Attorneys for Defendant

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

LINDA M. CETERA,

Plaintiff,

v.

MICHAEL J. ASTRUE,
 Commissioner of
 Social Security,

Defendant.

CIVIL NO. C09-00734 PVT

STIPULATION AND ORDER

The parties hereby stipulate by counsel, with the Court's approval as indicated by issuance of the attached Order, that Defendant shall have an extension of time of 74 days, up to and including August 28, 2009, to answer Plaintiff's complaint. This request is being made because this case was originally assigned to an attorney who went on unexpected and extended medical leave resulting in the need to reassign her entire work load. In the process of these reassignments, the case tracking system used in the Commissioner's Office of the General Counsel has been unreliable and this case was inadvertently overlooked. Defendant will file the answer immediately after filing this proposed order so that no further delay occurs.

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The parties further stipulate that the Court's Scheduling Order shall be modified accordingly.

Respectfully submitted,

Dated: August 28, 2009

/s/ James Hunt Miller
(As authorized via email)
JAMES HUNT MILLER
Attorney for Plaintiff

Dated: August 28, 2009

LAWRENCE G. BROWN
United States Attorney
LUCILLE GONZALES MEIS
Regional Chief Counsel, Region IX
Social Security Administration

/s/Theophous H. Reagans
THEOPHOUS H. REAGANS
Special Assistant U.S. Attorney

Attorneys for Defendant

ORDER

APPROVED AND SO ORDERED.

DATED: August 31, 2009



PATRICIA V. TRUMBULL
UNITED STATES MAGISTRATE JUDGE